



RCE
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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL FORM (37 C.F.R. § 1.114)**

DOCKET NO. 11443/160	APPLICATION SERIAL NO. 10/785,672	EXAMINER Gloria R. Weeks	ART UNIT 3721
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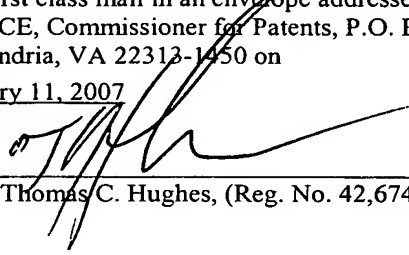
INVENTOR: **Michael P. Whitman**

Address to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: January 11, 2007

Signature: 

Thomas C. Hughes, (Reg. No. 42,674)

This is a **Request for Continued Examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 10/785,672 filed on **February 23, 2004**, entitled **SURGICAL CUTTING AND STAPLING DEVICE**.

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

- ☒ **X** Amendment After Final Office Action (previously submitted)
☐ Information Disclosure Statement and Form PTO-1449
☐ Drawing Changes
☐ Other Submission: _____

Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless the applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

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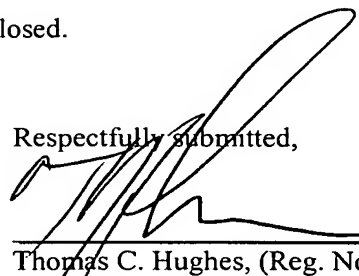
01 FC:2801 395.00 DA

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						790.00
TOTAL CLAIMS	7		105	0	50.00	0.00
INDEPENDENT CLAIMS	1		10	0	200.00	0.00
MULTIPLE DEPENDENT CLAIM					390.00	0.00
				*Number extra must be zero or larger	TOTAL	790.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.					SMALL ENTITY TOTAL
						395.00

2. Please charge the required small entity RCE and submission filing fee of **\$395.00** to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
3. Pursuant to the Final Office Action mailed July 11, 2007 and the Advisory Action mailed January 11, 2007, applicants respectfully request a three-month extension of time for responding to the Final Office Action. The extended deadline for responding the Final Office Action of July 11, 2006 is January 11, 2007.
4. The Commissioner is hereby authorized to charge the small entity extension fee of **\$450.00** (the 37 C.F.R. § 1.136(a) (three-month small entity extension fee of \$510.00 minus the previously paid one month extension fee of \$60.00) to the deposit account of **Kenyon & Kenyon LLP**, deposit account number 11-0600.
5. The Commissioner is also hereby authorized to charge payment of any additional fees required and/or associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
6. A duplicate copy of this transmittal form is enclosed.

Dated: January 11, 2007

By: Respectfully submitted,



Thomas C. Hughes, (Reg. No. 42,674)

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